

October 8, 2007

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session Monday, October 8, 2007 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Lewis Key, Councilors Orrin Lyon, Ed Chesnut, Keith Woods, Debbie Kelley, Brad Humbert and Youth Councilor Patsy Sandoval. Councilor Irving was out of town.

Staff members present were City Manager Linda Hall, Administrative Assistant Teresa Dutcher, Public Works Superintendent Dave Bradshaw and Working Foreman Rick Rambo.

There were no citizens in attendance.

Press member present was Melanie Hall of the Valley Herald.

CONSENT CALENDAR ITEMS: The consent calendar items consist of minutes from the September 24, 2007 meetings.

Councilor Kelley motioned to adopt the consent calendar items. Councilor Woods seconded the motion which passed unanimously.

NEW BUSINESS

RESOLUTION NO. 2064 SUPPLEMENTAL BUDGET RECEIVING FUNDS FOR TENNIS COURT IMPROVEMENTS. Public Works Superintendent Dave Bradshaw stated that in 2005 the Recreation committee's number one priority was the tennis court renovation. The City's safety committee did an inspection on the tennis court and reported hazardous conditions. In the fall of 2006, city staff patched the cracks on the west court as a trial over winter months. After consulting with a tennis court construction contractor, it was determined that the fix would work and it would also be a successful fix to the other three courts, which have since been fixed. Now they are all ready for coating.

Rick Rambo, Working Foreman and representative of Pioneer People and also a member of the Recreation committee, stated the Recreation committee designated the tennis courts as their number one priority after the McRae/Ireland baseball stands became a project for *Make A Difference Day* last year. At that time it was decided to fix the cracks by overlaying asphalt over the top and seal with a new surface. The school district was willing to contribute \$25,000 and M-F Area Foundation \$10,000 if a match of \$10,000 could come from the community. At that time it was late summer and there was not an opportunity to acquire matching funds. In order for the students to play tennis on the courts this year, Mr. Rambo stated the project would have to move forward quickly. He said he spoke with School District Superintendent Marilyn McBride and asked if she would donate \$15,000, and asked for \$5,000 or \$10,000 from M-F Area Foundation. He

felt this should be enough to complete the surface. Mr. Rambo said there was an original bid for \$24,000 to resurface and line the courts. Currently there is a bid for \$18,000 to resurface and line. Ms. McBride agreed to contribute \$15,000, M-F Area Foundation agreed to contribute \$5,000. This will resurface the tennis court and replace the standards.

Mayor Key said the cracks were patched and so asked if the courts would be painted. Mr. Rambo said the courts would be patched in any areas not already patched, and then three coats of sealer would go over the entire court with two different colors and then lined. The company guarantees this process against any cracks for a year, the product for three years, and said it should hold up and look new between five and eight years.

Councilor Kelley asked if asphalt would be applied after these coatings. Mr. Rambo said this was correct.

City Manager Hall pointed out the versatility of our city staff. As everyone knows it is a small town and we all wear many hats. Mr. Rambo was acting in his capacity as a Booster Club/Pioneer People and he is active in many projects that benefit the school. He was not representing the City when he pulled all these people together to partner for the project. Ms. Hall also wanted to give credit to Public Works Superintendent Dave Bradshaw as his crew was instrumental in designing a way to fill the cracks before everyone came together to partner for the current project.

Mayor Key said this was a great effort and looks much better financially from the original estimate of \$200,000. Mr. Rambo said the bid was for approximately \$120,000 and then added some extras, but if prices stay relatively the same, a new surface will cost between \$60,000 and \$70,000. Ms. Hall said this would eliminate the “crack rule” that only exists in our tennis courts.

Youth Councilor Patsy Sandoval asked if the project would include the fence after the resurface, standards and lines were completed. Mr. Bradshaw said they were getting new standards. Ms. Hall said the cyclone fencing would be replaced by sections because of the excessive cost of the materials.

Councilor Kelley motioned to adopt Resolution No. 2064 accepting funds for tennis court improvements in the amount of \$20,000. Councilor Woods seconded the motion which passed unanimously.

RESOLUTION NO. 2065 AUTHORIZING SIGNATURES TO CITY CHECKING

ACCOUNTS. City Manager Linda Hall stated this resolution before council this evening would remove former city manager Delphine Palmer from city bank accounts and include the current city manager, Linda Hall on city bank accounts.

Councilor Chesnut motioned to adopt Resolution No. 2065 authorizing signatures to Baker Boyer Bank, general checking, flexone checking, consumer checking, revolving checking and payroll checking accounts. Councilor Humbert seconded the motion which passed unanimously.

REVIEW COMMUNITY BUILDING FEES FOR ROTARY CLUB. City Manager Linda Hall stated that when the City took over the management of the community building in January of this year, in preparation of the transition, staff reviewed the current set of fees and discovered that the Chamber appeared to be using several different fees for similar uses of the building. Fees for the building were discussed over two or three council meetings involving much debate. There have been several requests to amend fees, change fees, reduce fees, etc. But this request is based on the Rotary Club's service that has a long history of doing a lot of good for the community. Ms. Hall stated that just within her tenure with the City, the Rotary Club has built the Rotary Sports Complex field, which is depended upon by many sport groups; they built the J.T. Monahan memorial picnic shelters in Yantis Park which are also highly used; they sponsor over \$5,000 in youth scholarships for our youth to go on to higher learning and \$800 monthly to community organizations and civic groups. Their request is to reduce their annual rent to their original rate of \$360 versus the current \$520. Each dollar that the Rotary Club has in expenditures, is a dollar that does not come back into the community. As a point of clarification, Ms. Hall stated that the City does rent the Rotary club room to other organizations and private groups and the City retains the revenue from these rentals. The tables, chairs, carpeting, fixtures and audio visual equipment, which the City also rents and retains the revenues from, belong to the Rotary Club. Rotary is aware of this, and when these facts were presented, Ms. Hall stated she felt this request was reasonable.

Mayor Key, Ms. Hall and Councilor Chesnut all disclosed their membership with the Rotary Club. Mayor Key further said he did not understand how Rotary works until he was involved as President and worked with the finances. All dues go into Rotary International and none is retained locally. Any money spent locally is done through local fundraisers. The Club makes a few dollars per meal, but the major fundraisers are the chicken barbeque and the golf tournament. When the scholarship fund reaches \$100,000 it can be used for scholarship money, but currently the scholarship comes out of the general fund.

Councilor Humbert said that instead of changing all the rates, he would rather give Rotary \$160 annually as rental for their equipment so the Council would not be required to change the rate resolution. Ms. Hall said she would not suggest changing the resolution, but for city financial purposes, Ms. Hall requested that the Council authorize the reduction of the rent versus issuing a check that Rotary would have to turn back over to the City.

Councilor Kelley said she thought the other groups that rent under the building rate should be aware, or should be made aware that they are using Rotary's property when the City rents the building. Councilor Humbert asked if this could be done with a letter stating the City would honor a reduction in their rate due to the use of their equipment. Ms. Hall stated this could be done if other groups inquire.

Councilor Chesnut asked if the tables and chairs are still Rotary equipment, or if those had been donated to the City. Ms. Hall said they were the property of the Rotary Club.

A discussion ensued.

Councilor Humbert said he would like to eliminate making more resolutions, so asked if the reduction of their rent could be done with a simple letter. Ms. Hall said this would be fine, but asked council to motion or show their consent, so there is a record.

Councilor Woods motioned to authorize City Manager Linda Hall to write a letter reducing the Rotary Club rental fees to \$360 annually due to the use of their equipment and contribution to the community. Councilor Humbert seconded the motion which passed unanimously.

APPROVAL PUBLIC RECORDS POLICY. City Manager Linda Hall stated this was a change in legislation with Senate Bill 554, which will take effect January 1, 2008. This was something learned at League of Oregon Cities conference this year. The history was interesting as apparently there was a newspaper that made a public records request from an Oregon city. It was stated that the request went unanswered for a lengthy period of time and when it was produced, records were incomplete and accompanied with a surprise invoice for \$600. Ms. Hall said as a result of this, the newspaper went to work on this bill. Ms. Hall further said this was good work. Not only from the public standpoint, but also from the municipal standpoint because this case shed a negative light upon the city as they should have responded quickly and been honest about their fees. Another example is what happened to the City of The Dalles when the Rajanish group was attempting to shut down the government. They used Oregon's public records policy to shut the government operations down when they came in bus loads every morning that the city was open and inundated the staff with requests of every public record available. Staff had no choice but to comply, so this was all staff could accomplish. With both sides of this issue said, this legislation will require the City to disclose and publish in the local newspaper, Valley Herald, information regarding the City's process, and also narrow the focus. Citizens will be required to specify what records they need. City staff will then respond whether the record exists or not, and if they do exist, will have them available in a timely manner.

Mayor Key asked how far back city council minutes are in electronic format. Ms. Hall said minutes exist as far back as when the City was then two cities—Milton and also Freewater. Electronically, the minutes exist in perhaps the late 80s or early 90s. Ms. Hall explained, however, that the problem with electronic data is the constant advancement in technology, which leaves us with the inability to open old data records.

Councilor Kelley asked how quickly the documents would have to be reproduced and available. Ms. Hall said the law gives 72 hours if the record exists. Actually, the law states "a reasonable amount of time". This was taken to a court of law to determine what a reasonable amount of time would be. It was from this court action that it was determined that 72 hours is a reasonable amount of time, or three days.

A discussion ensued.

Councilor Woods asked who set the fees for copies of records. Ms. Hall said the fees are set by city council, and the fees in the policy were set by a resolution in 2003.

Councilor Chesnut said he passed out suggested changes to page two of the policy. He proposed amending the policy by substituting the following language for the second

bulleted item, “A response from the public body asking for clarification of the document request”.

A discussion on e-mails and what constituted a public record ensued.

Councilor Chesnut motioned to approve the Written Public Records Request Procedures Policy, with the corrections submitted, and direct staff to publish the procedures in the City’s newspaper of record as required by Senate Bill 554. Councilor Humbert seconded the motion which passed unanimously.

Councilor Kelley motioned to approve the September 10, 2007 executive session minutes. Councilor Humbert seconded the motion which passed unanimously.

Mayor Key announced this was the opportunity for citizens to approach the Council with issues not on this agenda. None approached.

CITY MANAGER REPORT

City Manager Linda Hall stated she is happy to report that her first week on the job went smoothly and believes this will be a seamless transition for our citizens and our staff. She does have some plans in mind for changes, but wants to be conscious of the fact that change can be upsetting for some and to implement these carefully. She said she will be starting with small changes such as the deletion of the City Manager designated parking spot. This will go back to customer or staff parking. Another small change is to re-institute Council tours. On given meeting dates, Ms. Hall said she would like to meet slightly early to take the Council on bus tours with box dinners, to visit current projects or other areas of interest to update the Council. Members of the public will be welcome on a space available basis.

The League of Oregon Cities convention was a good one. Councilor Debbie Kelley had a good idea—she thought it would be helpful if we scheduled some time on our next agenda where attending councilors could share information they gleaned at the different sessions that were attended during the conference. This might be especially helpful for those unable to attend. Unless Ms. Hall hears differently she will schedule this for the next meeting.

Our street renovation project is finished on 8th and 9th Avenues. This was a huge project for staff and Ms. Hall wanted to publicly recognize Dave Bradshaw and Steve Birdwell and their crews for a job well done.

Ms. Hall stated she is researching the prospect of bringing the City’s senior and disabled transportation local option tax to the voters a year early to avoid the overwhelming double majority requirement. The question is whether we can ask to extend the levy while it is over a year from expiring.

Our annual Columbus Day Cleaning went well today. As council recalls, city offices were closed to the public to allow staff members to purge files, clean their work spaces, and

update their computers. Staff really appreciates the opportunity and looks forward to it each year. We observe the same work hours as normal so it is not a holiday.

Ms. Hall said she was approached by Commissioner Hansell last week to consider District Court being held in our Court Chambers. Chief Boedigheimer and City Manager Linda Hall will be exploring the pros and cons of this proposal. Ms. Hall recalls it being a positive experience when District Court was held here in the past. Staff will keep the Council updated on this.

Finally, a reminder of our invitation from the School Board to join them for a “community engagement and communications discussion tomorrow evening at 6:00 p.m. in the music room of the high school. Councilor Kelley said this meeting was scheduled from 6:00 p.m. to 7:00 p.m.

COUNCIL ANNOUNCEMENTS

Councilor Chesnut requested a city-wide tour.

Councilor Humbert announced there was a meeting last Wednesday evening on the golf course. Those in attendance were Hal Phillips, Councilor Humbert, City Manager Linda Hall, Pro-shop Manager George Gillette, Deb Leighty, Roger Everett, Restaurant lessees Chris and Diane Dirks, Public Works Superintendent Dave Bradshaw and Public Works Supervisor Tony Anfinson. It was a good meeting. The ad that was running in the newspaper, which Councilor Humbert said he thought was brilliant because of the accountability (one had to cut the ad out and present it to get \$10 off or ½ price golf) increased golf play significantly and George was able to track it. The money spent on advertising justified the increase in revenues. Councilor Humbert said the meeting was very constructive and that the meetings would continue. There is a golf budget—grass has to be cut, trees trimmed, greens kept manicured, etc. Play has to be increased. This year the golf course was in the black, but if the golf course wants to do more than what is budgeted, play has to be increased and everyone in the meeting realized this. Several ideas were discussed such as brochures in motels, possible discounts, and city council may be asked to review rates this winter reducing rates to a half-price rate for the winter to get play increase during winter months. According to Mr. Gillette, Mr. Anfinson and Mr. Bradshaw, half-price play is better than no play. The meetings will continue and it is thought to have them quarterly. Councilor Humbert said he would send out an email to council members and invite them to the next meeting.

Councilor Woods announced he would be attending a ribbon-cutting ceremony on Friday for the Washington Watershed Council in their Washington offices.

Councilor Kelley said the newspaper had an article announcing the City’s fire department giving away smoke detectors, and said this was positive exposure. The City’s electric department has talked about energy saving light bulbs, which work well, and the suggested price this week of these energy saving bulbs at Bi-Mart and Albertson’s is \$0.99 versus the usual \$4 to \$5.

Mayor Key announced that Karen Bartlett had moved so was no longer available to serve on the recreation committee.

Councilor Chesnut said he would like to see the collaborative meeting on the League of Oregon Cities conference. Councilor Chesnut also mentioned he had seen first hand the power the Toyota Prius, which has been a discussed previously as a possible city purchase. Councilor Kelley said she uses this vehicle with Walla Walla County.

There being no further business, the meeting was adjourned to an URA session at 8:06 p.m.

Lewis S. Key, Mayor